

216646

Matthews, Judy

From: Rick Hatalski [nd4z@yahoo.com]
Sent: Friday, May 01, 2009 8:26 AM
To: Matthews, Judy
Subject: Re: FW: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

Judy,
I have no idea why Mr. Bowen had that impression. I never stated to PBT or any law firm that my issues were resolved, as I have indicated to you in my last email.
Thank you,
Richard & Phyllis Hatalski

--- On Thu, 4/30/09, Matthews, Judy <Judy.Matthews@psc.sc.gov> wrote:

> From: Matthews, Judy <Judy.Matthews@psc.sc.gov>
> Subject: FW: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner
> v. PBT Communications, Incorporated, Defendant/Respondent
> To: nd4z@yahoo.com
> Date: Thursday, April 30, 2009, 6:46 PM Please see the response from
> Mr.
> Bowen
>
> Judy Matthews
> Administrative Assistant
> Public Service Commission of SC
> 101 Executive Center Dr.
> Columbia, SC 29210
> PH: (803) 896-5105
> FAX: (803) 896-5199
> EMAIL: judy.matthews@psc.sc.gov
>
>

> -----Original Message-----

> From: Bowen, John [mailto:JBowen@MCNAIR.NET]
>
> Sent: Thursday, April 30, 2009 2:21 PM
> To: Matthews, Judy; Edwards, Nanette (ORS); Fox, Peg
> Subject: RE: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner
> v. PBT Communications, Incorporated, Defendant/Respondent
>

> Thanks. We were under the impression that Mr.
> Hatalski's concerns had
> been resolved. I will communicate to PBT that such is not the case.
>

> M. John Bowen, Jr.
> jbowen@mcnair.net
>
> McNair Law Firm, P.A.

COPY

Posted: 1001
Dept: S.A.
Date: 5/7/09
Time: 10:35

RECEIVED

MAY 07 2009

PSC SC
DOCKETING DEPT.

Matthews, Judy

From: Rick Hatalski [nd4z@yahoo.com]
Sent: Thursday, April 30, 2009 2:35 PM
To: Matthews, Judy
Subject: Re: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

Dear Judy,

I tried calling you at 1:30 pm and left you a message on your answering machine.

I have no idea why PBT lawyers wrote a letter saying that I was satisfied with this case, but I am not. They were here last Friday April 24 checking my coax cables. They returned again Monday April 27 th and had a Well Contractor come by Tuesday April 28 th. They stated in their letter that they had spent \$2,412.00 to make improvments to my property that were unrelated to PBT'S installation of the fiber cable. Since than more visits to my property and more money was spent by PBT to supposedly make improvments to my property which were unrelated to the installation by PBT.

Now tell me, does it make sense that PBT would spend money, and lots of time and labor improving my property for absolutly no reason? I don't think so...

On the cover page of their letter I quote "PBT has right of access to a utility easement located on the premises". I have spent countless hours at the Lexington County Clerk researching the deed and Platt Maps of my property. I have found absolutely no mention of the so called utility easment located on the premises. I was also told by my lawyer that often their are refrences made to easements on the property platt map. So, I looked up my Platt Map and also see no mention of a easement that would allow PBT to enter and dig up about 500 feet of my valuable property on Lake Murray. They also claim, that they are not obligated to let me know that they would be digging, and ask me if their is anything buried on my property that me be damaged. If they would have only asked before they dug, a complete drawing showing all pipes, septic tanks, fresh water lines and cable lines could have been easily furnished, This information is kept in my file and also in the files of the Lexington County Clerks office.

I am also told that before you dig, you must notify a toll free office to make sure you will not be digging up and damaging utility lines. So I guess that is OK for PBT to dig without notifaction, but not for me to do so. The fact proves that PBT has no regard for their irresponsible actions, and seem to do what ever they want on private property.

Through the hard work of Mr. Kelly Green, of T.T.I., at this time, it seems that all the damaged items have been patched, but not quite as good as they found them. I will continue to monitor my utilities and cables for any further damage. But I expect a hearing so I may have my chance to explain myself, and have PBT explain to me why they created all the problems.

I have copies of my deed and platt map, I can provide to you if requested.

I also have a valid SC drivers licenese, and Picture Passport that I can prove my identy with.

Thank you,

Richard and Phyllis Hatalski

102 John Long Rd

Gilbet, S.C. 29054

--- On Thu, 4/30/09, Matthews, Judy <Judy.Matthews@psc.sc.gov> wrote:

> From: Matthews, Judy <Judy.Matthews@psc.sc.gov>

> Subject: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner v.

> PBT Communications, Incorporated, Defendant/Respondent

> To: nd4z@yahoo.com

> Date: Thursday, April 30, 2009, 3:40 PM

>

Matthews, Judy

From: Bowen, John [JBowen@MCNAIR.NET]
Sent: Thursday, April 30, 2009 2:21 PM
To: Matthews, Judy; Edwards, Nanette (ORS); Fox, Peg
Subject: RE: FW: 2009-119-C - Richard Hatafski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

Thanks. We were under the impression that Mr. Hatafski's concerns had been resolved. I will communicate to PBT that such is not the case.

M. John Bowen, Jr.
jbowen@mcnair.net

McNair Law Firm, P.A.
Columbia Office 1301 Gervais Street | 11th Floor | Columbia, SC 29201
803 799 9800 Main | 803 933 1514 Fax
Mailing Post Office Box 11390 | Columbia, SC 29211

-----Original Message-----

From: Matthews, Judy [mailto:Judy.Matthews@psc.sc.gov]
Sent: Thursday, April 30, 2009 2:06 PM
To: Edwards, Nanette (ORS); Fox, Peg; Bowen, John
Subject: FW: FW: 2009-119-C - Richard Hatafski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

FYI..... see response below that I received from Mr. Hatafski

Judy Matthews
Administrative Assistant
Public Service Commission of SC
101 Executive Center Dr.
Columbia, SC 29210
PH: (803) 896-5105
FAX: (803) 896-5199
EMAIL: judy.matthews@psc.sc.gov

-----Original Message-----

From: Rick Hatafski [mailto:nd4z@yahoo.com]
Sent: Thursday, April 30, 2009 1:37 PM
To: Matthews, Judy
Subject: Re: FW: 2009-119-C - Richard Hatafski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

Dear Judy,
yes, I most positively want to proceed with my complaint, I went through a lot of time and trouble to go through all the things necessary needed to file a complaint. I am sorry that the Attorneys for PBT Telecom don't want me to continue my complaint, but they by no means have satisfied my complaints and the hardship for me and

Matthews, Judy

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Dear Judy,

yes, I most positively want to proceed with my complaint, I went through a lot of time and trouble to go through all the things necessary needed to file a complaint. I am sorry that the Attorneys for PBT Telecom don't want me to continue my complaint, but they by no means have satisfied my complaints and the hardship for me and my entire family.

They claim in their letter to you that PBT had the right to trespass on my property and dig it up, without even asking. They claim that this was done by a Variance. I went to Lexington County Recorder of deeds and copied my deed and platt map. I see no Variances on my deed mentioning PBT communications access to my property. As far as I am concerned they had trespassed on my property with out my permission or notifying me in any way, and caused me and my family much greif and suffering as a result of their irresponsable actions. They violated my constitutional rights of a property owner in the State of South Carolona. I would like a explanation of all they claim they had the rights to do this?-- Thank you, Richard N. Hatalski

102 John Long rd
Gilbert, S.C. 29054

On Thu, 4/30/09, Matthews, Judy <Judy.Matthews@psc.sc.gov> wrote:

> From: Matthews, Judy <Judy.Matthews@psc.sc.gov>
> Subject: FW: 2009-119-C - Richard Hatalski, Complainant/Petitioner v.
> PBT Communications, Incorporated, Defendant/Respondent
> To: nd4z@yahoo.com
> Date: Thursday, April 30, 2009, 3:40 PM
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>
> Mr.
> Hatalski.....I am resending this

Matthews, Judy

From: Matthews, Judy
Sent: Thursday, April 30, 2009 11:36 AM
To: 'ND4Z@yahoo.com'
Cc: 'Edwards, Nanette (ORS)'; 'Fox, Peg'; 'Bowen, M. John (McNair Law)'
Subject: 2009-119-C - Richard Hatalski, Complainant/Petitioner v. PBT Communications, Incorporated, Defendant/Respondent

Mr. Hatalski,

Would you like to proceed with your complaint or would you like for it to be dismissed? Please respond in writing. Thanks, Judy

Judy Matthews
Administrative Assistant
Public Service Commission of SC
101 Executive Center Dr.
Columbia, SC 29210
PH: (803) 896-5105
FAX: (803) 896-5199
EMAIL: judy.matthews@psc.sc.gov